

III. Claim Rejections Under 35 U.S.C. § 102:

The Examiner has rejected claims 1, 7, 8 and 13 under 35 U.S.C. § 102(b) as being anticipated by Shintani et al. (US 5,875,034) ["Shintani"]. Applicant respectfully traverses.

For at least the reasons stated below, Applicant submits that claims 1 and 7 are patentable. In addition, Applicant submits that claims 7, 8 and 13 are patentable at least by virtue of their dependency on claim 1.

A. Claim 1:

The Examiner's grounds of rejection of claim 1 are the same as that in the Office Action of November 28, 2003. The Examiner contends that the arguments presented in Applicant's amendment of February 19, 2004 are not persuasive. In the rejection of the arguments, the Examiner confuses "voltage sources" with "power sources" by contending:

With regard to claim 1, Applicant argues that voltages E1, E2, and E3 are distribution bus and not power source. In response to the arguments, the examiner takes a broad interpretation and notes that 1) a power source or voltage source always has to use a wire connection or bus to deliver or to distribute a voltage power (as the same situation, wire connections are used for the claimed power source); and 2) power supply unit 109 comprises a DC/DC converter 200 that converts a main battery EB into three different power voltage sources such as E1, E2, and E3; where each voltage source is considered as a different and separate power source since each has different voltage source such as E1=24volts, E2=15volts and E3=5volts, (col. 9, line 25-50 and Fig. 2A); and is supplied in each separate line.

More specifically, the Examiner intermixes "power" and "voltage" as if they are the same. Although power and voltage are related and "power sources" may often be referred to as "voltage sources" (for example, "24-volt source" as slang for a "24-volt dc power source"), it is worth noting that "voltage" and "power" are not the same. Voltage is electric potential, whereas

power is the time rate at which energy is emitted. Therefore, technically speaking, supplying a voltage and supplying power are not the same.

The Examiner contends that Shintani discloses “a DC/DC converter 200 that converts a main battery EB into three different power voltage sources.” Applicant disagrees.

Applicant submits that Shintani discloses a DC/DC converter 200 that “is adapted for producing various voltages and supplying the same” (col. 9, lines 11-12). This does not equate to producing and supplying power as contended by the Examiner.

The Examiner contends to make “a broad interpretation and notes that 1) a power source or voltage source always has to use a wire connection or bus to deliver or to distribute a voltage power (as the same situation, wire connections are used for the claimed power source).”

Although claim language should always be read in the broadest possible terms, “[n]o term may be given a meaning repugnant to the usual meaning of the term.” MPEP 608.01(o). From the Examiner’s definition of “broad interpretation”, the Examiner appears to imply that if three wires were connected to a battery in a device, the device would comprise four “power sources” (the three wires and the battery).

Applicant submits that this interpretation is repugnant to the usual meaning of the term “power supply.” Applicant submits that one skilled in the art would associate a “power supply” as a “source of stored or generated energy.” Further, one skilled in the art would not consider a device that is merely connected to a power source (such as a wire) as the source of power since, by itself, it does not store or generate energy. In the Examiner’s example, any power distributed

by the wire would originate from the battery, not the wire itself. Therefore, the wire is not a power source.

Similarly, a simple DC/DC converter converts the input voltage to a desired voltage. The converter, by itself, does not store or generate power; therefore, it is not a power supply in the usual meaning of the term. There is no disclosure or suggestion that the DC/DC converter in Shintani is capable of storing or generating power independent of the main battery EB. Since there is only one battery that supplies the camera and printer in Shintani, it does not disclose or suggest “a power source section comprising a first power source for supplying the camera section and a second power source for supplying the printer section separately from each other” as set forth in claim 1.

By including first and second power sources, the presently claimed invention advantageously permits at least supplying electric power stably for a long time, allows the camera section to operate when the second power source has run down, and allows the power sources to act as back-ups for the other source. In contrast, because Shintani teaches only one power source, the power source runs down faster making the camera section inoperable.

B. Claim 7:

The Examiner's grounds of rejection of claim 7 are the same as that in the Office Action of November 28, 2003. The Examiner contends that the arguments presented in Applicant's amendment of February 19, 2004 are not persuasive. In the rejection of the arguments, the Examiner contends

With regard to claim 7, Applicant argue that Shintani dose not discloses that the first and second power source that feed the camera section and the printer section. In response to the arguments, the examiner notes that CPU 100 generates control signals Dcon that are used to control converter 200; where the converter separately supplies different power source to the camera section or printer section, col. 9, lines 7-50.

The Examiner's response does not address the argument that the respective power sources to the camera and printer may be switched as set forth in claim 7.

Even if, for the sake of argument alone, voltages E1, E2 and E3 are interpreted as power sources, Shintani discloses that voltages E1, E2, and E3 supply the printer section 111, image forming section 202 and camera section 203, respectively (Fig. 2A, Col. 9, lines 26-40).

Shintani also discloses that control signal Dcon commands the DC/DC converter 200 to produce voltages E1, E2 and/or E3 based on the command signal (col. 9, lines 26-51, Table 1).

Shintani does not disclose or suggest that commands from control signal Dcon to the DC/DC converter 200 controls voltages E1, E2 and E3 such that they are switched to the other sections. For example, Shintani does not disclose that voltage source E1 (disclosed as supplying the printer section 111) may be switched so as to supply voltage to the image forming section 202 or camera section 203. Therefore, Applicant submits that Shintani does not disclose or suggest "a switching device for connecting the second power source to the camera section, and for connecting the first power source to the printer section" as set forth in claim 7. (emphasis added).

IV. Claim Rejections under Under 35 U.S.C. § 103:

1. Shintani in view of Suzuki

The Examiner has rejected claim 12 as being anticipated over Shintani in view of Suzuki (US 5,847,436) ["Suzuki"]. For at least the following reason, Applicant traverses the rejection.

Because Suzuki does not cure the deficient teachings of Shintani with respect to claim 1, Applicant submits that claim 12 is patentable at least by virtue of its dependency.

2. Shintani in view of Aoto

The Examiner has rejected claims 2-6, 10 and 11 under 35 U.S.C. § 103(a) as being unpatentable over Shintani in view of Aoto et al. (US 6,515,761) ["Aoto"]. Applicant respectfully traverses.

For at least the reasons given below, Applicant submits that claims 2, 3 and 6 are patentable. In addition, because Aoto does not cure the deficient teachings of Shintani, Applicant submits that claims 2-6, 10 and 11 are patentable at least by virtue of their dependency.

A. Claim 2:

The Examiner's grounds of rejection of claim 2 are the same as that in the Office Action of November 28, 2003. The Examiner contends that the arguments presented in Applicant's amendment of February 19, 2004 are not persuasive. In the rejection of the arguments, the Examiner contends

With regard to claim 2, the combination of Shintani and Aoto is clearly discussed in paragraph of the last Office action. However, One skilled in the art knowing how to modify the Shintani device with the one of Aoto would also know to adapt the Aoto device into the Shintani device in order to print information on a photographic material.

The Examiner rejects Applicant's argument in the February 19th amendment that the use of photographic paper would undermine at least one embodiment of Shintani that requires external paper for printing, and photographic paper, by its very nature, needs to be enclosed. Applicant further notes that [i]f the proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification." MPEP 2143.02 citing *In re Gordon*, 733 F.2d 900.

The Examiner's response to the argument in the February 19th amendment is to merely speculate that "One skilled in the art knowing how to modify the Shintani device with the one of Aoto would also know to adapt the Aoto device into the Shintani device in order to print information on a photographic material."

Applicant submits that the fact that one of ordinary skill could do so does not provide motivation and/or make it obvious. "The mere fact that references can be combined or modified" is not sufficient to establish a prima facie case of obviousness. See MPEP 2143.01.

Because the Examiner has not made any substantive counterarguments, Applicant incorporates the arguments of the February 19th amendment in their entirety. Also, Applicant submits that the Examiner has not established a prima facie case for obviousness for the following additional reason.

“A statement that modifications of the prior art to meet the claimed invention would have been ‘well within the ordinary skill of the art at the time the claimed invention was made’ because the references relied upon teach that all aspects of the claimed invention were individually known in the art is not sufficient to establish a prima facie case of obviousness without some objective reason to combine the teachings of the references.” MPEP 2143.01.

Applicant submits that the Examiner’s reason for combining, which states that “photosensitive material would simplify the printing circuit since there is no need for color ribbons or color inks” (November 28th Office Action, page 7), does not provide an objective reason to combine as required by the MPEP since there is no support in the prior art for the Examiner’s bald assertion, which appears to be mere speculation by the Examiner. And the Examiner’s speculation does not provide evidence in the record as required by *Zurko*. See *In re Zurko*, 59 USPQ2d 1693 (Fed Cir. 2001).

Therefore, for at least the above reasons, Applicant submits that the Examiner has not made a prima facie case for obviousness.

B. Claim 3

The Examiner’s grounds of rejection of claim 3 are the same as that in the Office Action of November 28, 2003. The Examiner contends that the arguments presented in Applicant’s amendment of February 19, 2004 are not persuasive. In the rejection of the arguments, the Examiner contends

With regard to claim 3, it is noted that when a print head moves to make a print on a recording medium and after finishing a print, a user can pull the print from the camera;

in that situation, the printer does not need any roller. The reason for modification of Shintani and Aoto is clearly discussed in paragraph 2 of the last office action.

The Examiner rejects Applicant's argument that one skilled in the art would not have modified the inventions of Shintani and Aoto because an additional print head drive motor and gearing would be required to move the printing head in addition to the components already in place that move the printing material into and out of the camera. The Examiner speculates that "a user can pull the print from the camera; in that situation, the printer does not need any roller." This suggestion is not supported in the prior art, nor does it lessen the complexity of the camera, as erroneously relied upon by the Examiner as his motivation for combining the references, since a print head motor and gearing would still be required to move the printing head. Therefore, Applicant submits that the Examiner's proffered reason is not supported, unless the Examiner would now contend that a user should also manually move the print head after taking a picture.

C. Claim 6

The Examiner's grounds of rejection of claim 6 are the same as that in the Office Action of November 28, 2003. The Examiner contends that the arguments presented in Applicant's amendment of February 19, 2004 are not persuasive. In the rejection of the arguments, the Examiner contends

With regard to claim 6, It is noted that the reason for using a compatible battery in both power source is clearly discussed in paragraph 2 of the last Office action.

Because the Examiner does not substantively address Applicant's argument presented in the February 19th response, Applicant hereby incorporates the argument in its entirety. Further, Applicant again submits that the Examiner must find support for taking Official Notice in the


prior art since the modifications suggested by the Examiner would require technical analysis of the prior art inventions. Yet, the Examiner still provides no support for his reliance on the Official Notice, instead, he erroneously maintains his bald assertions.

V. Conclusion:

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


Bhaskar Kakarla
Registration No. 54,627

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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